

tions, according to the present rules of equity, subject to the approval of the chancellor.

The statistics which I have exhibited I think sustain me in the position I have taken, in the plan which I have recommended, and I now leave the subject with the Convention.

Mr. BOWIE moved, as a substitute for the 9th section, the following:

"Section 9. There shall be a county court in each county of the state, and for this purpose the state shall be divided into thirteen inferior judicial circuits, of which Allegany county shall be the first, Washington county the second, Frederick county the third, Baltimore county the fourth, Prince George's county the fifth, Carroll and Harford counties the sixth, Montgomery and Howard counties the seventh, Calvert and Anne Arundel counties the eighth, Charles and St. Mary's counties the ninth, Cecil and Kent counties the tenth, Queen Anne's and Caroline counties the eleventh, Dorchester and Talbot counties the twelfth, and Worcester and Somerset the thirteenth; and one person from among those learned in the law, having been admitted to practice the law in this state, and who shall have been a citizen of this state at least five years, and above the age of thirty years, at the time of his election, and a resident of the said judicial circuit, shall be elected from each of said circuits, by a plurality vote of the legal and qualified voters therein, as a judge in and for the said judicial circuit, who shall hold his office for the term of ten years from the time of his election, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto, until he shall have attained the age of seventy years, and not after, subject to removal for incompetency, willful neglect of duty, misbehaviour in office, by presentment of a grand jury and conviction of a petit jury of the county in which he may reside, or by the governor, upon the address of the general assembly, two-thirds of the members of each house concurring in such address. The salaries of the judges of the said judicial circuits shall be two thousand dollars annually to each, and shall not be increased or diminished during their continuance in office. They shall reside respectively in the district from which they were elected, and shall hold, in each and every year, at such times and places as may be prescribed by law, and attend at the court house of each county in said district, as often as the legislature may prescribe for the transaction and dispatch of judicial business."

Mr. PARKE said that he should be very glad to favor this plan, but he could not do so, because Harford and Carroll counties were united together in one district, though not contiguous, Baltimore county coming between. Besides, he considered Carroll as much entitled to be a full district as Allegany.

Mr. BOWIE said he had a proposition in his pocket, which would give Harford a full district, (laughter,) and would most cheerfully advocate it, if it were practicable.

Mr. SPENCER obtained the floor, and proceed-

ed with his remarks, published above in connection.

Mr. BOWIE. I am exceedingly anxious to progress with this bill, and would not say a word but for what has been said upon the other side. I consider the proposition of the gentleman from Somerset, which I understand the gentleman from Queen Anne's (Mr. Spencer) to advocate, or at least a plan very much like it, brings up the question of judicial districts or circuits, but also involves other matters which have no sort of connection with the matter under consideration. The most important thing for us to do now, and a matter upon which I dare say there is more difference of opinion than upon any other, is to divide the State into judicial districts. It is well known that a majority of the committee favored the idea of a judge to each county. The great doctrine of the bill of rights is to bring home to every man's door the administration of justice in a cheap and speedy mode. Upon consultation with members of this Convention, I am satisfied that that plan will fail; not because it is not approved of and considered the best, but because it is considered too expensive. I have no doubt that, if we cannot now incorporate upon this Constitution such a system, the time will come when the people of the State will demand by the popular voice that each county shall have its own judge. I am willing to stop short of it, and to compromise the matter. Instead of twenty-one judges, I now propose to cut it down to thirteen judges, by which we save \$16,000 at once. The objection to having too many counties in one district is obviated. The objection on the score of expense is obviated. Our first business is to vote upon the division of the State. When that is decided, and when we take up the eleventh and twelfth sections, we may define their powers and give them such jurisdiction as we think they ought to have, and withhold from them such as we think they ought not to have. Let these questions be kept separate and distinct. This idea of crowding into a section of the Constitution all sorts of powers is not only improper, but exceedingly dangerous. I hope the Convention will come to a vote upon the simple question contained in the ninth section.

Mr. THOMAS felt some difficulty in voting upon this question; and if other gentlemen feel a similar difficulty, the proposition he had to submit may be acquiesced in. There is this difficulty, that the Convention cannot foresee what will be the decision upon another question, immediately bearing upon this; they cannot anticipate whether the Convention will or will not give to these County Courts the jurisdiction that is now exercised by an Orphans' Court in the several counties. With a view to test the sense of the Convention, he would move that we postpone for the present the consideration of the ninth section, with the amendments, in order to take up the tenth section, and to test the sense of the House upon that section. If we are to have separate courts exercising the powers that an Orphans' Court now exercise, we may make the circuits of the County Courts larger